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(4)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,666	06/29/2001	Ichiro Yamashita	210217US0	9403
22850	7590	04/09/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			WOITACH, JOSEPH T	
			ART UNIT	PAPER NUMBER
			1632	
DATE MAILED: 04/09/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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91893,664

EXAMINER

ART UNIT      PAPER

04042004

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

Commissioner for Patents

As indicated in the interview summary mailed February 19, 2004, Mr. Shire had previously contacted the office regarding the failure to consider Japanese application 2000-201688. In light of the discussion with Mr. Shire and the decision of the petition filed February 10, 2003, a signed copy of the PTO 1449 indicating that the abstract of 2000-201688 was considered is being provided

Examiner notes that the Japanese application was in the file, however was not considered because no translation was provided. It was noted that it appeared to the Examiner that some of the sequences appeared to be related, however homology searches during prosecution did not identify the Japanese application, and that the use of the sequences could not be fully assessed without an English translation. Mr. Shire requested that at least the English abstract be considered and made of record. Examiner noted that the abstract was also in the file, and that the contents of the abstract was reviewed and considered, however it was noted that it was unclear if this was a translation of the abstract of the Japanese application or a summary abstract of the patent provided by an unrelated party. Examiner agreed to file an interview summary and acknowledge that the abstract was considered during the prosecution of the application to make the record clear that the abstract but not the contents of the Japanese application has been considered.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Woitach whose telephone number is (571) 272-0739.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Reynolds, can be reached at (571) 272-0734.

Any inquiry of a general nature or relating to the status of this application should be directed to Rene Jones at 571-272-0547.

Joseph T. Woitach

*Joe Woitach*  
AV16 32